

EXHIBIT 1

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Complainant Identification Information

Department Complaint Number:

202028849

1) Name:

Tassy, Jean-Claude

2) Telephone/Fax:

Home Phone:

(310) 670-6265

Email:

thejctass@yahoo.com

Confirm Email:

thejctass@yahoo.com

3) Present Home Address:

Phone: 1 310-670-6265

Address:

5 Bridle Path Drive
Old Westbury, NY 11568

4) Employment History:

First Name: Jean-Claude
Last Name: Tassy
Title: Aviation Safety Inspector
Email: thejctass@yahoo.com
I am a current or former federal employee: yes
Series: GS - General Schedule
Grade: 12

5) Name and Address of Organization Where You Work :

Office and Staff Symbol:
N/A

6) Employment Status in Relation to this Complaint: Former Employee
Retired

Date Last Employed at Department:

Friday, April 3, 2020

Date of Retirement:

Friday, April 3, 2020

Certify These Statements as True:

Name of Complainant or ATTORNEY Representative :

Paul T. Shoemsker, ATTORNEY representative

Date:

Thursday, July 16, 2020

Designation Of Representative

9) Representative's Mailing Address:

Firm/Organization: Greenfield Stein & Senior, LLP
Is this an Attorney?: Yes
Employer (If Federal Agency): N/A
Phone: 212-818-9600 x914
Fax: (212) 818-1264
Address:
600 Third Avenue
New York, NY 10016

10) Representative's Employer:

N/A

11) Representative's Telephone/Fax:

Telephone:

(914) 255-2027

Fax:

(212) 818-1264

12) Complainant's Signature:

Jean-Claude Tassy

Today's Date:

Thursday, July 16, 2020

Alleged Discriminatory Actions

13) Name and Address of Agency/office that took the action at issue:

Office and

Organizational

Component:

Federal Aviation Administration

Address:

7150 Republic Airport

Suite 235

Farmingdale, NY 11735

14) My complaint involves nonselection for a position: no

15) Bases of action

Race:

Black

Color:

Dark

National Origin:

Haitian

16. Mark below ONLY the claim(s) you believe were relied on to take the actions described in 17.

1. Appointment/Hire:

no

2. Assignment Of Duties:

no

3. Awards:

no

4. Conversion To Full-Time:

no

5. Disciplinary Action:

D. Termination

6. Duty Hours:

no

7. Evaluation/Appraisal:

no

8. Examination/Test:

no

10. Medical Examination:

no

11. Pay Including Overtime:

no

12. Performance Evaluation/ Appraisal:

no

13. Promotion/Non-Selection:

no

15. Reasonable Accommodation - Disability:

no

16. Reinstatement:

no

17. Religious Accommodation:

no

18. Retirement:

no

19. Sex Stereotyping (LGBT- related discrimination only):

no

20. Telework:

no

21. Termination:

yes

22. Terms/Conditions Of Employment:

no

23. Time And Attendance:

no

24. Training:

no

25. Other:

yes

17) Details of Action taken against you:

I was forced out of my job at the FAA after I made a formal complaint of discrimination. Management (specifically, Erik Anderson) threatened to terminate me and forced me out. I believe that management took this action in retaliation for my previous claim of discrimination (Case No. 2018-28053-FAA). After being threatened, I retired in order to avoid termination and possible loss of my pension. I filed my previous claim of discrimination in January of 2019. Thereafter I continued to perform my job duties and conditions improved a bit at first. In February of 2020, however, the DOT made a determination of no discrimination. Shortly thereafter, in March, Mr. Anderson, Manager of the Farmingdale FSDO, notified me of my "Proposed Removal," claiming that I had made improper recordings in the office and stating that my termination would be effective no earlier than 30 days

from the date I received the notice. I contacted my attorney and the union representative and we reviewed and discussed the matter and made efforts to avoid termination, but we realized that it was futile and, in order to avoid further proceedings and possible loss of my pension, I filed my retirement papers on April 3. That was my last day of work. I had intended to continue working at the FAA for many more years, but was forced to retire because of management's retaliation against me.

18) What remedial or corrective action are you seeking?:

Reinstatement, back pay, front pay, damages for mental and emotional distress, and attorneys' fees.

Counselor Contact

19) When did the most recent discriminatory event occur?:

Friday, April 3, 2020

20) When did you first become aware of the alleged discrimination?:

Friday, April 3, 2020

21) When did you contact an EEO counselor?:

Wednesday, May 6, 2020

22) I have discussed ALL actions raised with an EEO counselor:

23) Name and Telephone number of EEO Counselor:

Name : Rita J.

Last Name: Derrico-White

Phone: 1 206-231-2047

Email: rita.derrico-white@faa.gov

24) When did you receive your Notice of Right to File?:

Thursday, July 2, 2020

Full Name:

Jean-Claude Tassy

EXHIBIT 2



U.S. Department of
Transportation

Office of the Secretary
Of Transportation

Departmental Office of
Civil Rights

Case Management Branch
2300 East Devon Avenue, Suite 406
Des Plaines, IL 60018

ACCEPTANCE

VIA ELECTRONIC MAIL

August 20, 2020

Jean-Claude Tassy
c/o Paul Shoemaker
Greenfield, Stein and Senior, LLP
600 Third Avenue
New York, NY 10016

Ref: DOT Complaint No.: 2020-28849-FAA-01¹

Dear Mr. Tassy:

This is in further reference to your complaint of discrimination electronically filed on July 16, 2020. You have raised claims of discrimination against the Department of Transportation (DOT), Federal Aviation Administration (FAA). Complaints filed against the DOT are processed in accordance with the Equal Employment Opportunity Commission's (EEOC) regulation, at 29 C.F.R. Part 1614, as amended.²

Based on a thorough review of your complaint, the EEO counselor's report and related documents, the following claims have been accepted for investigation³:

Were you subjected to discrimination based on race (African-American), color (black), national origin (other), and reprisal (prior EEO activity) when on April 3, 2020, you were constructively discharged?

¹ The Department reserves the right to dismiss any claim, or the entire complaint, if information obtained during the investigation reveals that erroneous or false information was presented in the Counselor's Report and/or formal complaint, such that, legally, the claim should not have been accepted for investigation and adjudication.

² The Equal Employment Opportunity Commission provided instructions, dated April 6, 2020, concerning federal EEO complaints being processed under the COVID-19 pandemic. Please review the following instructions <https://www.eeoc.gov/processing-information-all-parties-federal-eeo-processing-under-29-cfr-part-1614> as it may have implications regarding your EEO complaint and applicable timeframes.

³ The Department reserves the right to dismiss any claim, or the entire complaint, if information obtained during the investigation reveals that erroneous or false information was presented in the Counselor's Report and/or formal complaint, such that, legally, the claim should not have been accepted for investigation and adjudication. If the investigation is not complete after 180 days from the filing of your EEO complaint, you have the right to request a hearing before an EEOC Administrative Judge, pursuant to 29 C.F.R. § 1614.108.

If you object to the articulation of the claims, you may submit a written statement for inclusion in the administrative file. The statement may be submitted to Jackie Lewis at jackie.lewis@dot.gov.

Your complaint meets the definition of a mixed case complaint. The EEOC Regulation at 29 C.F.R. § 1614.302(d)(1) requires the Department to advise you as follows upon the acceptance of a mixed case complaint:

If a final agency decision is not issued on your complaint within 120 days of the date of filing of the mixed case complaint, you may appeal the matter to the Merit Systems Protection Board at any time thereafter, as specified at 5 C.F.R. 1201.154(b)(2), or you may file a civil action as specified at 29 C.F.R. § 1614.310(g), but not both.

If you wish to engage in EEO Alternate Dispute Resolution (ADR), please contact Rita E. Smith, FAA, ADR Coordinator, by telephone at 404- 305-5258. Participation in this process is voluntary for both parties. Upon receipt of your request to participate in ADR, you will be contacted by a mediation coordinator if management agrees to extend an offer of EEO ADR mediation.

The investigator assigned to your complaint will contact you directly to make every effort to ensure that your complaint is appropriately and fairly investigated. If you have any questions regarding this matter, please contact Jackie Lewis at 202-366-1914 or by electronic mail at jackie.lewis@dot.gov.

Sincerely,

ANGELA
WILLIAMS

Digitally signed by
ANGELA T'NIA WILLIAMS
Date: 2020.08.19
13:36:33 -04'00'

Angela Williams, Chief
Case Management Branch
Equal Employment Complaints and Investigations Division
Departmental Office of Civil Rights

Enclosure

cc: ASO-9
AGC-100

Jean-Claude Tassy
VIA ELECTRONIC MAIL